THE TODA GIRAS ALLOWANCES ACT, 1887.

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BOMBAY ACT No. VII OF 1887.[1]

[THE TODA GIRAS ALLOWANCES ACT, 1887.]

[*28th April, 1888.*]

Adapted and modified by the Adaptation of Indian Laws Order in Council.

An Act to declare and amend the Law relating to Toda Giras Allowances.

WHEREAS it is expedient to declare and amend the law relating to toda giras allowances; It is enacted as follows:—

Short title.

1. This Act may be called the Toda Giras Allowances Act, 1887.

"Toda giras allowance" defined.

2. In this Act, "toda giras allowance" means a cash payment made periodically to any person on the part of [2][the Crown], or by or on the part of a holder of alienated land, under the name of *giras*, *wol*, *tora giras* or *toda giras*.

Toda giras allowance to be held hereditarily in male descent.

3. Every toda giras allowance is continuable hereditarily to the lineal male heirs in male descent of the first recipient thereof under British rule:

Provided that, on failure of such heirs, the allowance, or some portion thereof, shall, whenever the [3][Provincial Government] has already so directed, or shall hereafter so direct, be continuable hereditarily to the lineal male heirs in male descent of a brother of the first recipient of such allowance under British rule.

Mortgage, etc., of toda giras allowance.

4. No mortgage, charge or alienation of a toda giras allowance, or of any part thereof, or of any interest therein, by any recipient of the same, shall be valid as to any time beyond such recipient's natural life.

Exemption of toda giras allowances from attachment and sale in execution of decrees.

5. No toda giras allowance shall be liable to attachment or sale in execution of a decree:

Provided that any money due or likely to become due to a judgment-debtor on account of a toda giras allowance may be attached in execution of the decree against him, but such attachment shall not affect any money which becomes due on account of such allowance after such judgment-debtor's death.

Saving of toda giras allowances already alienated.

6. (*1*) Nothing in this Act applies to a toda giras allowance which has already been alienated—

(*a*) if the instrument purporting or operating to effect such alienation has before the date on which this Act comes into force been registered under any law for the time being in force relating to the registration of documents; or

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1886, Pt. V, p. 99, and for Proceedings in Council, *see ibid*, 1887, pp. 16, 212 and 220.

[2] The words "the Crown" were substituted for the word "Government" by the Adaptation of Indian Laws Order in Council.

[3] The words "Provincial Government", were substituted for the words "Governor in Council", *ibid*.

(*b*) if the said instrument, not being compulsorily registrable, and not having been registered under any such law as aforesaid, has been executed before the date on which this Act comes into force, and is presented for inspection, together with a copy thereof for record, at any time within six months after the said date, to the Collector of the district in which such allowance is payable; or

(*c*) if when such alienation has not been effected by an instrument, proof thereof is produced within the period and to the Collector aforesaid.

Collector how to proceed in respect of alienations notified to him under clauses (*b*) and (*c*).

(*2*) When any instrument is presented to a Collector under clause (*b*), he shall, before returning the same, endorse thereon, under his signature and official seal, the date of such presentation. When proof of an alienation is produced before a Collector under clause (*c*), he shall give to the alienee a certificate, under his signature and official seal, that the toda giras allowance so alienated is not subject to the provisions of this Act.